GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department – Crime Investigation Department (CID) - Amendment to Sub-Rule 2 of Rule 5 of Andhra Pradesh Protection of Depositors of Financial Establishment Rules, 1999 - Amendment – Orders – Issued.

HOME (GENERAL.A) DEPARTMEN

G.O.MS.No. 91 Dated: 25-05-2017

Read the following:-

1. G.O.Ms.No.349, Home (General. B) Department, dated 29.10.1999.
2. Andhra Pradesh Protection of Depositors of Financial Establishment Rules, 1999 vide G.O. Ms.No.347, Home (General. B) Department, dated 29.10.1999.
3. G.O.Ms.No.193, Home (General. B) Department, dated 23.08.2001.
4. From the Director General of Police, Andhra Pradesh, Vijayawada, C.No.956/C-11/CID/2016, dated 08.02.2017.

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ORDER:

In the reference 1st read above, Government have issued orders for appointment of District Magistrates of all the Districts and the Commissioners of Visakhapatnam and Vijayawada in respect of cities of Visakhapatnam, Vijayawada as competent authority U/s 4 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999, to file charge sheet in the concerned courts.

2. In the reference 2nd read above, the Government have made rules to the Andhra Pradesh Protection of Depositors of Financial Establishments, 1999 (Act 17 of 1999).

3. In the reference 3rd read above, Government have also appointed the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh or Inspector General of Police, Crime Investigation Department as Competent Authority U/s 4 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999, to file charge sheet in the concerned courts.

4. In the reference 4th read above, the Director General of Police, Andhra Pradesh, has stated that the Courts of Visakhapatnam are not accepting the charge sheets filed by the Investigating Officer under the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999, as they are drawing inference from Sub-Rule 2 of Rule 5 of Andhra Pradesh Protection of Depositors of Financial Establishment Rules, 1999, wherein it is stated that "the Competent Authority shall be competent to launch prosecution before the Special Court against the Financial Establishment" and requested to issue orders for amending the Sub Section 2 of the Rule 5 as an immediate step.

5. Government after careful examination of the matter, decided to accept the proposal of the Director General of Police, Andhra Pradesh, Vijayawada on the request of the Addl. Director General of Police, Crime Investigation Department, for amending Sub-Rule 2 of Rule 5 of Andhra Pradesh Protection of Depositors of Financial Establishment Rules, 1999.

6. Accordingly, the following notification will be published in an Extraordinary issue of the Andhra Pradesh Gazette: -

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section-18 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999 (Act 17 of 1999), the Governor of Andhra Pradesh, hereby makes the following

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amendment to sub-rule (2) of rule 5 of the Andhra Pradesh Protection of Depositors of Financial Establishment Rules, 1999, issued in G.O. Ms.No.347, Home (General. B) Department, dated 29.10.1999.

AMENDMENT

In the said rules, in sub rule (2) of rule 5, for the words "the Competent Authority shall be competent to launch prosecution" the words "the Competent Authority shall authorize the investigating officer to launch prosecution" shall be substituted.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R. ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery & Stores Purchase, Andhra Pradesh, Vijayawada (to cause publication of the orders in the A.P. Extraordinary Gazette and to furnish 200 copies to this Department).
The Director General of Police, Andhra Pradesh, Vijayawada.
The Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Vijayawada.
Copy to:
The P.S. to Special Chief Secretary to Hon'ble Chief Minister.
The P.S. to Chief Secretary to Government.
The P.S. to Principal Secretary to Govt., Home Dept.
The Law (C) Department
SF/SCs.

//FORWARDED : : BY ORDER//

SECTION OFFICER